

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

YASSIN AREF,

Petitioner

No. 3:19cv796

v.

(Judge Munley)

WARDEN CLAIR DOLL, et al.,

Respondent

(Magistrate Judge Mehalchick)

ORDER

AND NOW, to wit, this 2nd day of July 2019, we have before us for disposition Magistrate Judge Karoline Mehalchick's report and recommendation, which proposes that Yassin Aref's petition for a writ of habeas corpus and subsequent motion to compel an immediate response from ICE be dismissed as moot as the petitioner has been deported and is therefore no longer in ICE custody.

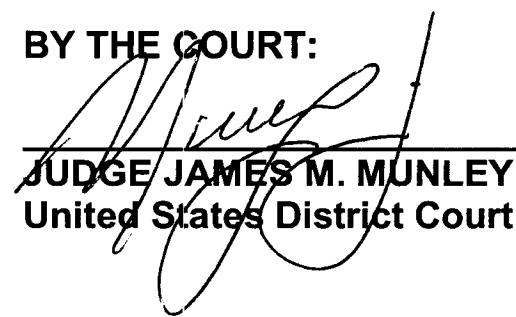
No objections to the report and recommendation have been filed, and the time for such filing has passed. Therefore, in deciding whether to adopt the report and recommendation, we must determine if a review of the record evidences plain error or manifest injustice. FED. R. CIV. P. 72(B) 1983 Advisory Committee Notes ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record to accept the recommendation");

see also 28 U.S.C. § 636(b)(1); Sullivan v. Cuyler, 723 F.2d 1077, 1085 (3d Cir. 1983).

After a careful review, we find neither a clear error on the face of the record nor a manifest injustice, and therefore, we shall adopt the report and recommendation. It is hereby **ORDERED** as follows:

- 1) The magistrate judge's report and recommendation (Doc. 18) is **ADOPTED**;
- 2) The petitioner's request for a writ of habeas corpus (Doc. 1) is **DISMISSED AS MOOT**;
- 3) The petitioner's motion to compel (Doc. 17) is **DISMISSED AS MOOT**;
- 4) Based upon the reasoning in the report and recommendation, we decline to issue a certificate of appealability. See 28 U.S.C. § 2253(c) and 3d Cir. LAR. 22; and
- 5) The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:


JUDGE JAMES M. MUNLEY
United States District Court